

# **Notice of References Cited**

Application/Control No.

09/750,765

Applicant(s)/Patent Under  
Reexamination  
SWARTZ, MITCHELL R.

Examiner

Rick Palabrica

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## **U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
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## **FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
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	Q					
	R					
	S					
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## **NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Williams et al. , "Upper Bounds on 'cold fusion' in electrolytic cells, "Nature, Vol. 342, 23 November 1989.
	V	Blue, "Comments on Michael Swartz' answers", on line, available: <a href="http://groups.google.com/groups?hl=en&amp;lr...ekm=94021113200390%40dancer.nsl.msu.edu">http://groups.google.com/groups?hl=en&amp;lr...ekm=94021113200390%40dancer.nsl.msu.edu</a> , Accessed on 1/23/03
	W	Bill Ward, "Re: Real Fusion Discussions," <a href="http://groups.google.com/groups?hl=en&amp;lr...%3Doff%26start%3D40%26sa%3DN&amp;frame=right">http://groups.google.com/groups?hl=en&amp;lr...%3Doff%26start%3D40%26sa%3DN&amp;frame=right</a> , Accessed on 1/23/03
	X	Blue, "What is confirmation?", <a href="http://groups.google.com/groups?hl=en&amp;lr...6f0fcd&amp;seekm+C6oBp7.C00%40world.std.com">http://groups.google.com/groups?hl=en&amp;lr...6f0fcd&amp;seekm+C6oBp7.C00%40world.std.com</a> , Accessed on 1/23/03

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	N					
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	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Rich Murray, "Swartz claims", <a href="http://groups.google.com/groups?hl=en&amp;lr...75eb&amp;seekm=3513C5EF.2454%40earthlink.net">http://groups.google.com/groups?hl=en&amp;lr...75eb&amp;seekm=3513C5EF.2454%40earthlink.net</a> , Accessed on 1/23/03
	V	Blue, "Replies to Michael Swartz", on line, available: <a href="http://groups.google.com/groups?hl=en&amp;lr...ekm=94021113200390%40dancer.nsl.msui.edu">http://groups.google.com/groups?hl=en&amp;lr...ekm=94021113200390%40dancer.nsl.msui.edu</a> , Accessed on 1/23/03
	W	Blue, "Energetic particles", on line, available: <a href="http://groups.google.com/groups?hl=en&amp;lr...m=9411191638.AA40373%40pilot1.cl.msui.edu">http://groups.google.com/groups?hl=en&amp;lr...m=9411191638.AA40373%40pilot1.cl.msui.edu</a> , Accessed on 1/23/03
	X	

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Application/Control No.

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## **U.S. PATENT DOCUMENTS**

	Document Number Country Code-Number-Kind Code	Date MM-YYYY <sup>1</sup>	Name	Classification <sup>2</sup>
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N					
O					
P					
Q					
R					
S					
T					

## **NON-PATENT DOCUMENTS**

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Fleming et al, Calorimetric Studies of Electrochemical Incorporation of Hydrogen Isotopes into Palladium, Journal of Fusion Energy, Vol. 9, No. 4, p. 517-524
V	William J. Broad, Cold Fusion Claim is Faulted on Ethics as well as Science, The New York Times, p. 1 and 30
W	Ron Dagani, Cold Fusion: Utah Pressures Pons, Fleischmann, Chemical & Engineering News, p. 4 and 5
X	Gary Taubes, Cold Fusion Conundrum at Texas A&M, Science, Vol. 248, p. 1299-1304

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

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# Notice of References Cited

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## U.S. PATENT DOCUMENTS

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N					
O					
P					
Q					
R					
S					
T					

## NON-PATENT DOCUMENTS

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Henderson et al, More Searches for Cold Fusion, Journal of Fusion Energy, Vol. 9, No. 4, p. 475-477
C V	Bosch et al, Electrochemical Cold Fusion Trials at IPP Garching, Journal of Fusion Energy, Vol. 9, No. 2, p. 165-186
C W	Rogers et al, Cold Fusion Reaction Products and Their Measurements, Journal of Fusion Energy, Vol. 9, No. 4, p. 483-485
C X	Albagli et al, Measurement and Analysis of Neutron and Gamma-Ray Emission Rates, Other Fusion Products, and Power in Electrochemical Cells Having Pd Cathodes, Journal of Fusion Energy, Vol. 9, No. 2, p. 133-148

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

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<sup>2</sup> Classifications may be U.S. or foreign.

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## FOREIGN PATENT DOCUMENTS

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N					
O					
P					
Q					
R					
S					
T					

## NON-PATENT DOCUMENTS

Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages

NOVA Confusion in a Jar, WGBH-TV Boston, MA; Transcript of Show No. 1802, p. 2-19

Balke et al, Limits on Neutron Emission from "Cold Fusion" in Metal Hydrides, Physical Review C, Vol. 42, No. 1, p. 30-37

Myers et al, Search for Cold Fusion at D/Pd > 1 Using Ion Implantation, Journal of Fusion Energy, Vol. 9, No. 3, p. 263-268

Wilson et al, Analysis of Experiments on the Calorimetry of LiOD-Dsub2O Electrochemical Cells, Journal of Electroanalytical Chemistry, Vol. 332, No. 1 and 2, p. 1-31

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

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## U.S. PATENT DOCUMENTS

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N					
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S					
T					

## NON-PATENT DOCUMENTS

		Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
C	U	Silvera et al, Deuterated Palladium at Temperatures from 4.3 to 400 K and Pressures to 105 kbar: Search for Cold Fusion, Physical Review B, Vol. 42, No. 14, p. 9143-9146
C	V	Williams et al, Upper Bounds on 'Cold Fusion' in Electrolytic Cells, Nature, Vol. 342, p. 375-384
C	W	Ewing et al, A sensitive Multi-detector Neutron Counter used to Monitor "Cold Fusion" Experiments in an Underground Laboratory; Negative Results and Positive Artifacts, IEEE Transactions on Nuclear Science, Vol. 37, No. 3, p. 1165-1170
	X	Frank Close, Too Hot To Handle The Race for Cold Fusion, W.H. Allen Publishers, London W105AH, p. 1-349 and 351-376

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(e).

<sup>1</sup> Dates in MM-YYYY format are publication dates.

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## NON-PATENT DOCUMENTS

		Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390 400 410 420 430 440 450 460 470 480 490 500 510 520 530 540 550 560 570 580 590 600 610 620 630 640 650 660 670 680 690 700 710 720 730 740 750 760 770 780 790 800 810 820 830 840 850 860 870 880 890 900 910 920 930 940 950 960 970 980 990 1000	X U	John R. Huizenga(I), Cold Fusion: The Scientific Fiasco of the Century, Oxford University Press, p. VII-XV, 22-43, 58-287, and 292-318
	V	Ron Dagani, Latest Cold Fusion Results Fail to Win Over Skeptics, Chemical & Engineering News, p. 38-41
	W	Peter Hadfield, Lukewarm Reception for Japanese Cold Fusion, New Scientist, p. 10
	X	Gary Taubes, Bad Science: The Short Life and Weird Times of Cold Fusion, p. 303, 425-428, and 475-481

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

<sup>1</sup> Dates in MM-YYYY format are publication dates.

<sup>2</sup> Classifications may be U.S. or foreign.

# **Notice of References Cited**

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091750, 765

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## **U.S. PATENT DOCUMENTS**

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N					
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P					
Q					
R					
S					
T					

## **NON-PATENT DOCUMENTS**

		Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
21	C U	Steven F. Jones, Current Issues in Cold Fusion Research: Heat, Helium, Tritium, and Energetic Particles, Surface and Coatings Technology, Vol. 51, p. 283-289
22	C V	Taylor et al, LA-UR 94-970, Search for Neutrons from Deuterated Palladium Subject to High Electrical Currents, p. 1-11
23	C W	John R. Huizenga (II), Cold Fusion, Chemical & Engineering News, Vol. 70, p. 3
24	C X	John R. Huizenga (III), New Developments in the Cold Fusion Saga, Abstracts of Papers of the American Chemical Society, Vol. 207, p. 6

<sup>1</sup> A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

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N					
O					
P					
Q					
R					
S					
T					

## NON-PATENT DOCUMENTS

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	John R. Huizenga (IV), Cold Fusion Labeled 'Fiasco of Century', Forum for Applied Research and Public Policy, Vol. 7, No. 4, p. 78-83
V	Ron Dagani, Cold Fusion Believer Turned Skeptic Crusades for More Rigorous Research, Chemical & Engineering News, p. 34, 35, 38 and 40
W	Jones et al (I), Examination of Claims of Miles et al in Pons-Fleischmann-Type Cold Fusion Experiments, Journal of Physical Chemistry, Vol. 99, No. 18, p. 6966-6972
X	Jones et al (II), Faradaic Efficiencies Less Than 100% during Electrolysis of Water Can Account for Reports of Excess Heat in "Cold Fusion" Cells, Journal of Physical Chemistry, Vol. 99, No. 18, p. 6973-6979

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

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N					
O					
P					
Q					
R					
S					
T					

## NON-PATENT DOCUMENTS

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Douglas Morrison (I), Review of Progress in Cold Fusion, Transactions of Fusion Technology, Vol. 26, p. 48-55
V	Douglas Morrison (II), Review of Cold Fusion, Soviet Physics-Uspekhi, Vol. 34, No. 12, p. 1055-1060
W	Douglas Morrison (III), Comments on Claims of Excess Enthalpy by Fleischmann and Pons using Simple Cells Made to Boil, Physics Letters A, Vol. 185, p. 498-502
X	Denis Rousseau, Case Studies in Pathological Science - How the Loss of Objectivity Led to False Conclusions in Studies of Polywater, Infinite Dillution and Cold Fusion, American Scientist, Vol. 80, p. 54-63

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

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N					
O					
P					
Q					
R					
S					
T					

## **NON-PATENT DOCUMENTS**

	Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Merriman et al, An Attempted Replication of the CETI Cold Fusion Experiment, Database [Online], p. 1-17, Available web site: <a href="http://www.math.ucla.edu/~barry/cf/cetix.html">www.math.ucla.edu/~barry/cf/cetix.html</a> , Last update: 1997, Accessed on 5/1/1997
V	Jed Rothwell, Italy-Cold Fusion & Judge's Verdict, Database [Online], p. 1-3, Available web site: <a href="http://www.padrak.com/ine/cflibel.html">www.padrak.com/ine/cflibel.html</a> , Last update: 1996, Accessed on: 1996
W	Bennett Miller, Memo from the desk of ... Bennett Miller, p. 1-10
X	

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).

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